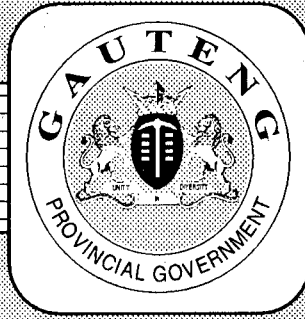


**THE PROVINCE OF  
GAUTENG**



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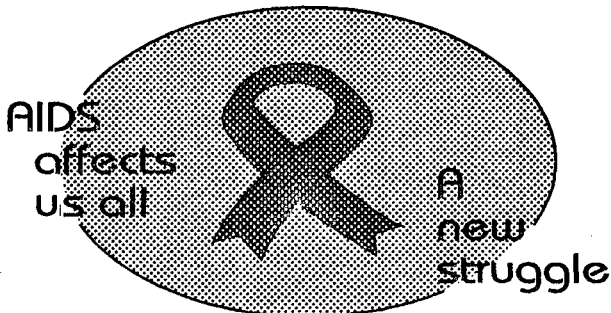
Vol. 11

PRETORIA, 5 MAY  
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No. 187

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## LOCAL AUTHORITY NOTICES

### LOCAL AUTHORITY NOTICE 920

**EKURHULENI METROPOLITAN MUNICIPALITY  
(BRAKPAN SERVICE DELIVERY CENTRE)  
DECLARATION AS AN APPROVED TOWNSHIP**

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Municipality, Brakpan Service Delivery Centre hereby declares Kenleaf Extension 13 township to be an approved township subject to the conditions set out in the Schedule hereto.

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY PALLINI DEVELOPERS CC (HEREINAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNER) UNDER THE PROVISIONS OF PARTS A AND C OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 330 (A PORTION OF PORTION 7) OF THE FARM WITPOORTJE 117 I.R., PROVINCE OF GAUTENG HAS BEEN GRANTED

#### A. CONDITIONS OF ESTABLISHMENT

- (1) **NAME**  
The name of the township shall be Kenleaf Extension 13.
- (2) **DESIGN**  
The township shall consist of erven as indicated on Plan S.G. No. 8023/2004.
- (3) **STORMWATER DRAINAGE AND STREET CONSTRUCTION**
  - (3.1) The township owner shall on request by the Council submit to such Council for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineer approved by Council, for the collection and disposal of storm water throughout the township by means of properly constructed works and for the construction, tarmacadamising, kerbing and channeling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Council.
  - (3.2) The scheme shall provide for the catchment of storm water in catch pits whence it shall be drained off in watertight pipes of durable material, approved by the Council, in such manner that water will in no way dam up or infiltrate on or near the surface of the ground.  
  
Furthermore, the scheme shall, indicate the route and gradient by which each erf gains access to the street on which it abuts.  
  
The township owner shall, when required by the Council to do so, carry out the approved scheme at its own expense on behalf of and to the satisfaction of the Council under supervision of a civil engineer approved by the Council.
- (4) **DISPOSAL OF EXISTING CONDITIONS OF TITLE**  
All erven shall be made subject to existing conditions and servitudes including the reservation of rights to minerals.
- (5) **SPECIAL CONDITIONS**
  - (5.1) The township owner shall ensure that a legal body, a registered Section 21 company as provided for in Chapter 7 of the Rationalization of Local Government Affairs Act, 1998 (Act no 10 of 1998), be established who shall take transfer of Erf 286 before any other erf in the township is transferred.
  - (5.2) The said "Home Owners Association" shall in addition to such other responsibilities as may be determined by the developer, also be responsible for the maintenance of the internal road described as Erf 286.
  - (5.3) The township owner shall ensure that a right of way servitude and a servitude for municipal services are registered over the whole of Erf 286.
- (6) **ENDOWMENT**  
The township owner shall, in terms of provisions of Section 98(2) and 98(3) of the Town Planning and Townships Ordinance, 1986, pay an amount to be determined by the Local Authority, which amount shall be used by the local authority for the provision of land for parks and/or open spaces.

Such endowment shall be payable in terms of the provisions of Section 81 of the said Ordinance read with Section 95 thereof.

**B. CONDITIONS OF TITLE**

THE ERVEN MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986

(1) ALL ERVEN excluding Erf 286

- (1.1) The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the local authority : Provided that the local authority may dispense with any such servitude.
- (1.2) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.
- (1.3) In addition to the existing servitudes, a servitude (9 metres wide), for right of way and municipal purposes (as indicated on the layout plan KENX13) must be registered in favour of Council over Erven 255 up to and including 285 Kenleaf Extension 13.
- (1.4) All erven, 255 up to and including 285 Kenleaf Extension 13, shall become entitled to such servitude with the obligation to pave and maintain such servitude and the street lighting therein.
- (1.5) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.
- (1.6) Every registered owner of Erven 255 to 285 or portion thereof shall;
  - (1) be entitled to a right of way over Erf 286;
  - (2) shall be a member of the Home Owners Association;
  - (3) be subject to the constitution of the Home Owners Association and shall pay all levies due to the Association.
- (1.7) No transfer shall be registered without a clearance certificate from the Association that all levies due to the Association has been paid.
- (1.8) As this land is liable to subsidence, settlement, shocks and cracking whereby damage may be caused to buildings or structures erected thereon, the owner of the said land undertakes not at any time to require from the holder of mining title underlying, adjoining or adjacent to the said land or from the Inspector or Mines, that any protection to the surface of said land or to any buildings or structure whatever situated thereon shall be given in terms of Regulations, framed under the powers contained in the Minerals Act No 50 of 1995, or any amendment thereof, and accept all risk of damage to such surfaces, building or structure which may be caused by mining operations past, present or future, either underneath said land or elsewhere.

(2) REGISTRATION OF SERVITUDES

Erf 286 is subject to a servitude for access, right of way and municipal purposes in favour of the Council, as indicated on the General Plan vide diagram S.G. No 8023/2004.

**LOCAL AUTHORITY NOTICE 921****EKURHULENI METROPOLITAN MUNICIPALITY  
(BRAKPAN SERVICE DELIVERY CENTRE)****BRAKPAN TOWN PLANNING SCHEME 1980: AMENDMENT SCHEME 425**

The Ekurhuleni Metropolitan Municipality (Brakpan Service Delivery Centre) hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of Brakpan Town Planning Scheme, 1980, comprising the same land as included in the township of Kenleaf Extension 13 Township.

Map 3 and the scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning, Brakpan Civic Centre, E-Block, Cnr Elliot Road and Escombe Avenue, Brakpan, and are open for inspection at all reasonable times.

This amendment is known as Brakpan Amendment Scheme 425 and shall come into operation on the date of publication hereof.

PAUL Maseko, City Manager  
Development Planning, P O Box 15, Brakpan, 1540.  
LG 10/2005

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**PLAASLIKE BESTUURSKENNISGEWING 921****EKURHULENI METROPOLITAANSE MUNISIPALITEIT  
(BRAKPAN DIENSLEWERINGSENTRUM)****BRAKPAN DORPSBEPLANNINGSKEMA 1980: WYSIGINGSKEMA 425**

Die Ekurhuleni Metropolitaanse Munisipaliteit (Brakpan Diensleweringssentrum) verklaar hierby, ingevolge die bepalings van Artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysigingskema, synde 'n wysiging van die Brakpan Dorpsbeplanningskema, 1980, wat uit dieselfde grond as die dorp Kenleaf Uitbreiding 13 bestaan, goedgekeur het.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou by die Uitvoerende Direkteur: Ontwikkelingsbeplanning, Brakpan Burgersentrum, E-blok, Hoek van Elliotweg en Escombelaan, en is oop vir inspeksie op alle redelike tye.

Hierdie wysigingskema staan bekend as Brakpan Wysigingskema 425 en tree in werking op datum van publikasie hiervan.

PAUL Maseko, Stadsbestuurder  
Ontwikkelingsbeplanning, Posbus 15, Brakpan, 1540.  
PB 10/2005

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